

## Message Text

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ACTION SS-15

INFO OCT-01 EA-10 ISO-00 FEA-01 ACDA-07 CIAE-00 INR-07  
IO-13 L-03 NSAE-00 NSC-05 EB-08 NRC-05 OES-07  
DODE-00 SP-02 PM-05 PA-01 USIA-06 PRS-01 /097 W  
-----094262 290622Z /10

R 290507Z AUG 77  
FM AMEMBASSY TOKYO  
TO SECSTATE WASHDC 585  
INFO USERDA HDQTS WASHDC  
USERDA HDQTS GERMANTOWN MD

C O N F I D E N T I A L SECTION 1 OF 3 TOKYO 13173

E.O. 11652: GDS  
TAGS: PARM, TECH, ENRG, JA  
SUBJECT: TEXTS OF INTRODUCTORY REMARKS AND U.S. DRAFT AGREEMENT  
ON TOKAI MURA

1. FOLLOWING IS TEXT OF INTRODUCTORY STATEMENT MADE BY AMB SMITH  
UPON TABLING OF U.S. DRAFT AGREEMENT DURING FIRST NEGOTIATING  
SESSION OF TOKAI MURA CONFERENCE. BEGIN TEXT:

REMARKS BY AMBASSADOR SMITH  
INTRODUCING DRAFT AGREEMENT

WE HAVE LISTENED WITH INTEREST TO YOUR REMARKS AND PROPOSALS  
AND WILL STUDY THEM WITH CARE.

LET ME NOW IN TURN PUT FORWARD THE PROPOSAL I REFERRED TO  
IN MY OPENING REMARKS. IT IS IN THE FORM OF A DRAFT AGREEMENT  
WHICH I SHALL TRANSMIT TO YOU PRESENTLY. FIRST, I WOULD LIKE TO  
HIGHLIGHT SEVERAL POINTS BRIEFLY.

THE DRAFT CONTAINS PRINCIPLES AS WELL AS TEHCNICAL PROVI-  
SIONS. WE CONSIDER THESE PRINCIPLES AND PROVISIONS TO BE INTEGRAL  
ELEMENTS OF A RESOLUTION OF THE TOKAI MURA ISSUE. IN PARTICULAR,  
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WE BELIEVE THAT THE PRINCIPLES REFLECT THE ESSENCE OF A NON-  
PROLIFERATION POLICY THAT WE TRUST IS SHARED BY OUR TWO GOVERN-  
MENTS. THEY FOCUS ON THE IMPORTANCE OF CONTINUED DEVELOPMENT OF  
NUCLEAR ENERGY IN A MANNER DESIGNED TO ENSURE BOTH ENERGY  
SECURITY AND INTERNATIONAL SECURITY FOR JAPAN AND THE UNITED  
STATES AND FOR THE REST OF THE WORLD.

THE TECHNICAL CONDITIONS ARE SET FORTH IN THE SECOND PART OF THE DRAFT, WHICH DEALS SPECIFICALLY WITH THE OPERATION OF THE FACILITY. CERTAIN TECHNICAL LIMITS ON PLANT OPERATIONS ARE DEFINED, THUS EMPHASIZING THE EXPERIMENTAL CHARACTER OF THOSE OPERATIONS AND THEIR POTENTIAL FOR CONTRIBUTING IMPORTANT DATA TO THE FUEL CYCLE EVALUATION PROGRAM IN WHICH WE ARE BOTH INVOLVED.

OUR PROPOSED SOLUTION ALSO INCLUDES A LIMITED JOINT DETERMINATION UNDER ARTICLE VIII(C) OF THE U.S.-JAPAN AGREEMENT FOR COOPERATION, WITH RESPECT TO THE PROCESSING UNDER SPECIFIED CONDITIONS OF UP TO 70 TONS OF FUEL OF U.S. ORIGIN IN THE TOKAI MURA FACILITY IN THE SCHEDULED MODE. WE CANNOT AT PRESENT JOIN IN A DETERMINATION CONCERNING LATER OPERATION.

WE CONSIDER ALL PARTS OF THIS PROPOSAL TO BE CLOSELY INTERRELATED.

THE PRINCIPLES TO WHICH I REFERRED ARE SET FORTH IN THE DRAFT AGREEMENT AS FOLLOWS:

(QUOTE SECTION I)

THE PROVISIONS WITH RESPECT TO THE OPERATION OF THE TOKAI MURA FACILITY ARE AS FOLLOWS:

(QUOTE SECTION II)

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END TEXT

2. FOLLOWING IS TEXT OF U.S. DRAFT AGREEMENT TABLED. BEGIN TEXT:

DRAFT AGREEMENT  
BETWEEN JAPAN AND THE UNITED STATES  
CONCERNING NON PROLIFERATION POLICY AND  
THE OPERATION OF THE TOKAI MURA FACILITY

I

THE UNITED STATES RECOGNIZES THE IMPORTANCE OF THE DEVELOPMENT OF NUCLEAR ENERGY FOR THE ENERGY SECURITY AND ECONOMIC DEVELOPMENT OF JAPAN. THE UNITED STATES STRONGLY SUPPORTS CONTINUED DEVELOPMENT OF PEACEFUL USES OF NUCLEAR ENERGY IN JAPAN. THE UNITED STATES IS PREPARED TO COOPERATE WITH JAPAN FOR THE PURPOSE OF ASSURING THAT JAPAN'S LONG-TERM NUCLEAR ENERGY PROGRAMS, INCLUDING ITS BREEDER RESEARCH AND DEVELOPMENT PROGRAM, NOT BE PREJUDICED. THE UNITED STATES IS PREPARED TO WORK WITH

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C O N F I D E N T I A L SECTION 2 OF 3 TOKYO 13173

JAPAN AND OTHER COUNTRIES TO ESTABLISH ARRANGEMENTS FOR ASSURED SUPPLIED OF NATURAL AND LOW ENRICHED URANIUM. THE UNITED STATES AFFIRMS THAT ITS POLICY IS TO ACCORD JAPAN NON-DISCRIMINATORY TREATMENT IN THE FIELD OF THE PEACEFUL USES OF NUCLEAR ENERGY.

THE UNITED STATES AND JAPAN WILL COOPERATE IN EVALUATING THE NUCLEAR FUEL CYCLE AND THE FUTURE ROLE OF PLUTONIUM. THEY SHARE THE VIEW THAT PLUTONIUM POSES A SERIOUS PROLIFERATION DANGER, THAT IT IS NOT NOW AN ECONOMIC FUEL, AND THAT ITS PREMATURE COMMERCIALIZATION SHOULD BE AVOIDED. THEY AGREE THAT, IF SEPARATION OF PLUTONIUM FOR RESEARCH AND DEVELOPMENT WORK ON FAST BREEDER REACTORS AND OTHER ADVANCED REACTORS IS CARRIED OUT, IT SHOULD BE AT A RATE NOT EXCEEDING ACTUAL PLUTONIUM NEEDS FOR SUCH PURPOSES.

JAPAN AND THE UNITED STATES WILL BOTH DEFER POLICY DECISIONS ON PLUTONIUM RECYCLE IN LIGHT WATER REACTORS AT LEAST DURING THE INTERNATIONAL NUCLEAR FUEL CYCLE EVALUATION (INFCE). DURING THIS PERIOD, JAPAN AND THE UNITED STATES WILL DEFER PLANNING FOR AND DEVELOPMENT OF ADDITIONAL REPROCESSING FACILITIES FOR PLUTONIUM SEPARATION. AT THE END OF THE PERIOD, THE JAPANESE DECISION CONCERNING THE FURTHER DEVELOPMENT OF REPROCESSING CAPACITY WOULD BE MADE AFTER CONSULTATION WITH THE UNITED STATES.  
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SUCH CONSULTATION WILL INCLUDE CONSIDERATION OF SPENT FUEL STORAGE POSSIBILITIES AND OTHER TECHNICAL AND INSTITUTIONAL ALTERNATIVES

TO REPROCESSING.

II

WITH RESPECT TO THE OPERATION OF THE TOKAI MURA FACILITY, TAKING INTO ACCOUNT BOTH IMMEDIATE PRACTICAL CONSIDERATIONS AND THE DESIRE OF THE PARTIES TO IDENTIFY FUEL CYCLES THAT ARE AS PROLIFERATION RESISTANT AS POSSIBLE, IT IS AGREED THAT:

1. THE FACILITY WILL INITIALLY PROCESS UP TO 70 TONS OF U.S.-ORIGIN SPENT FUEL. THE MAJOR PORTION OF THIS SPENT FUEL WILL BE PROCESSED IN THE SCHEDULED MODE TO PROVE OUT PLANT DESIGN AND TO PRESERVE JAPAN'S WARRANTY RIGHTS. SOME OF THIS SPENT FUEL MAY BE USED FOR THE EXPERIMENTAL COPROCESSING DESCRIBED IN PARAGRAPH 3 BELOW.

2. DURING THIS INITIAL PERIOD, THE SEPARATED PLUTONIUM OUTPUT STREAM WILL BE BLENDED WITH AN APPROPRIATE AMOUNT OF URANIUM TO YIELD A PRODUCT USEFUL TO THE JAPANESE ADVANCED REACTOR RESEARCH AND DEVELOPMENT PROGRAM, BUT WITH A PLUTONIUM-TO-URANIUM RATIO NOT EXCEEDING ONE (1:1).

3. EXPERIMENTAL COPROCESSING WILL BE UNDERTAKEN IN THE JAPANESE OPERATIONAL TEST LABORATORY (OTL), AT THE TOKAI MURA FACILITY, DURING THE PERIOD WHEN THE MAIN TOKAI MURA FACILITY IS OPERATING IN THE SCHEDULED MODE. THE RESULTS OF THIS EXPERIMENTAL WORK WILL BE MADE AVAILABLE TO INFCE IN SUPPORT OF THE INFCE EFFORT TO IDENTIFY FUEL CYCLES THAT ARE AS PROLIFERATION RESISTANT AS THE "ONCE THROUGH" FUEL CYCLE. THE TOKAI MURA FACILITY WILL BE MODIFIED DURING THIS INITIAL PERIOD TO IMPROVE ITS SAFEGUARDABILITY AND PHYSICAL SECURITY.  
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4. AT THE END OF THE INITIAL PERIOD OF OPERATION, THE OPERATION OF THE TOKAI MURA FACILITY WILL BE PROMPTLY CONVERTED FROM CONVENTIONAL REPROCESSING TO FULL-SCALE COPROCESSING, BASED ON THE EXPERIMENTAL WORK UNDERTAKEN AT THE OTL. THE FACILITY WILL BE OPERATED IN THIS MODE FOR TWO YEARS, IN ORDER FULLY TO EVALUATE COPROCESSING. HOWEVER, THE PROVISIONS OF THIS PARAGRAPH MAY BE MODIFIED BY AGREEMENT OF THE PARTIES IF JUSTIFIED BY THE EXPERIMENTAL WORK IN THE OTL, THE OPERATION OF THE MAIN TOKAI MURA FACILITY, OR IN LIGHT OF THE RESULTS OF INFCE.

5. THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA) WILL BE AFFORDED FULL OPPORTUNITY TO APPLY SAFEGUARDS AT THE TOKAI MURA FACILITY, INCLUDING CONTINUOUS INSPECTION. THE FACILITY WILL BE MADE AVAILABLE TO IAEA FOR THE TESTING OF ADVANCED SAFEGUARDS INSTRUMENTATION INCLUDING THE INSTALLATION OF APPROPRIATE ADVANCED MEASUREMENT AND SURVEILLANCE EQUIPMENT TO PERMIT EVALUATION OF

SAFEGUARDS IMPROVEMENTS. THE UNITED STATES IS PREPARED TO PARTICIPATE IN THIS SAFEGUARDS TESTING THROUGH THE PROVISION OF TECHNICAL ADVICE AND ASSISTANCE AND OTHER AGREED MEANS. THE UNITED STATES AND JAPAN WILL PROMPTLY CONSULT WITH THE IAEA TO FACILITATE IMPLEMENTATION OF THIS PROGRAM. THE RESULTS OF THIS SAFEGUARDS EXPERIMENTATION WILL BE MADE AVAILABLE TO INFCE.

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6. THE SPECIFIC FACILITY MODIFICATIONS REQUIRED BY THE ABOVE PROVISIONS ARE TO BE AGREED UPON PROMPTLY BY THE PARTIES, WHO WILL SEEK TO ASSURE THAT THE EXPENDITURES AND DELAYS INVOLVED ARE KEPT TO THE MINIMUM CONSISTENT WITH FULFILLING THE PURPOSES AND PROVISIONS OF THE AGREEMENT. PLANT MODIFICATIONS WILL BE INTRODUCED AS QUICKLY AS THEY CAN BE IDENTIFIED, IN ORDER TO BE ABLE TO PROCEED EXPEDITIOUSLY TO OPERATION IN THE COPROCESSING MODE AFTER TWO YEARS.

### III

ON THE BASIS OF THE CONDITIONS SET OUT ABOVE FOR OPERATION OF THE TOKAI MURA FACILITY, AND IN VIEW OF THE LIMITED AMOUNT OF PLUTONIUM INVOLVED, THE CAREFULLY MONITORED EXPERIMENTAL CHARACTER OF THE PROCESS, AND THE PROVISIONS FOR THE APPLICATION OF EFFECTIVE SAFEGUARDS BY THE IAEA AND FOR ADVANCED SAFEGUARDS EXPERIMENTATION, THE UNITED STATES AND JAPAN NOW JOINTLY DETERMINE PURSUANT TO ARTICLE VIII(C) OF THE AGREEMENT FOR COOPERATION BETWEEN THEM OF FEBRUARY 26, 1968, AS AMENDED, THAT THE PROVISIONS OF ARTICLE XI OF THAT AGREEMENT MAY BE EFFECTIVELY APPLIED TO THE PROCESSING, IN ACCORDANCE WITH THE AGREEMENT, IN THE TOKAI MURA FACILITY OF UP TO 70 TONS OF IRRADIATED FUEL ELEMENTS CON-

TRAINING FUEL MATERIAL RECEIVED FROM THE UNITED STATES. NO  
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DETERMINATION IS NOW BEING MADE AS TO WHETHER SAFEGUARDS CAN BE EFFECTIVELY APPLIED TO PUREX REPROCESSING PLANTS IN GENERAL. THERE IS NO CHANGE IN THE REQUIREMENT FOR SUBSEQUENT DETERMINATIONS AS TO WHETHER THE PROVISIONS OF ARTICLE XI MAY BE EFFECTIVELY APPLIED TO THE REPROCESSING OR OTHER ALTERATION IN FORM OR CONTENT OF ANY SPECIAL NUCLEAR MATERIAL OR IRRADIATED FUEL ELEMENTS SUBJECT TO ARTICLE VIII(C) BEYOND THE 70 TONS OF IRRADIATED FUEL ELEMENTS REFERRED TO IN THIS PARAGRAPH. HOWEVER, THE UNITED STATES IS PREPARED TO ENTER INTO AN AFFIRMATIVE JOINT DETERMINATION WITH RESPECT TO THE FULL-SCALE COPROCESSING DESCRIBED IN PARAGRAPH 4 ABOVE, SUBJECT TO THE REQUIREMENTS OF ITS LAWS AND MUTUAL AGREEMENT ON THE SCOPE AND CHARACTER OF THE COPROCESSING OPERATION. THE PARTIES WILL TAKE THE POSITION IN INFCE THAT THE TOKAI MURA FACILITY WILL BE THE ONLY ONE NOT ALREADY IN OPERATION, AT WHICH EXPERIMENTAL WORK INVOLVING IRRADIATED FUELS NEED BE CARRIED OUT FOR THE PURPOSES OF INFCE, WITH RESPECT TO THE SAFEGUARDING OF SUCH PLANTS OR COPROCESSING.

JAPAN AND THE UNITED STATES WILL CONSULT ON A REGULAR BASIS, OR AT THE REQUEST OF EITHER OF THE PARTIES, ON THE IMPLEMENTATION OF THIS AGREEMENT AND ON ANY OTHER NONPROLIFERATION MATTERS OF MUTUAL CONCERN.

THE PROVISIONS OF THIS AGREEMENT ARE INTERDEPENDENT AND SHOULD BE TREATED AS INSEPARABLE.

FOR THE GOVERNMENT OF THE UNITED STATES:

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FOR THE GOVERNMENT OF JAPAN:

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3. TEXT OF JAPANESE DRAFT PROPOSAL FOLLOWS BY SEPTTEL.

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## Message Attributes

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**TAGS:** PARM, TECH, ENRG, JA, US  
**To:** STATE  
**Type:** TE  
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